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STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3978th meeting of the Security Council, held on 12 February 1999 in connection with the Council's consideration of the item entitled "Protection of civilians in armed conflict", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has considered the matter of protection of civilians in armed conflict.

"The Security Council expresses its grave concern at the growing civilian toll of armed conflict and notes with distress that civilians now account for the vast majority of casualties in armed conflict and are increasingly directly targeted by combatants and armed elements. The Council condemns attacks or acts of violence in situations of armed conflict directed against civilians, especially women, children and other vulnerable groups, including also refugees and internally displaced persons, in violation of the relevant rules of international law, including those of international humanitarian and human rights law.

"The Security Council is especially concerned about attacks on humanitarian workers, in violation of the rules of international law.

"The Security Council notes that large-scale human suffering is a consequence and sometimes a contributing factor to instability and further conflict, whether due to displacement, violent assault or other atrocities. Bearing in mind its primary responsibility for the maintenance of international peace and security, the Council affirms the need for the international community to assist and protect civilian populations affected by armed conflict. The Council calls upon all parties concerned to ensure the safety of civilians and guarantee the unimpeded and safe access of United Nations and other humanitarian personnel to those in need. In this regard, the Council recalls the statement of its President of 19 June 1997 (S/PRST/1997/34) and also recalls its resolution 1208 (1998) of 19 November 1998 on the status and treatment of refugees.

"The Security Council expresses particular concern at the harmful impact of armed conflict on children and, in this regard, recalls the statement of its President of 29 June 1998 (S/PRST/1998/18).

"The Security Council calls upon all parties concerned to comply strictly with their obligations under international law, in particular their relevant obligations under the Hague Conventions, the Geneva Conventions of 1949 and their Additional Protocols of 1977, and the United Nations Convention on the Rights of the Child of 1989, as well as with all decisions of the Security Council.

"The Security Council strongly condemns the deliberate targeting by combatants of civilians in armed conflict and demands that all concerned put an end to such violations of international humanitarian and human rights law. The Council expresses its willingness to respond, in accordance with the Charter of the United Nations, to situations in which civilians, as such, have been targeted or humanitarian assistance to civilians has been deliberately obstructed.

"The Security Council also condemns all attempts to incite violence against civilians in situations of armed conflict and calls upon States to fulfil their obligations to take action at the national level. The Council affirms the need to bring to justice, in an appropriate manner, individuals who incite or cause violence against civilians in situations of armed conflict or who otherwise violate international humanitarian and human rights law. In this regard, the Council reaffirms the importance of the work being done by the ad hoc Tribunals for the former Yugoslavia and Rwanda and calls upon all States to cooperate with the Tribunals, in accordance with the relevant Security Council resolutions. The Council acknowledges the historic significance of the adoption of the Rome Statute of the International Criminal Court.

"The Security Council notes the deleterious impact of the proliferation of arms, in particular small arms, on the security of civilians, including refugees and other vulnerable populations. In this regard, it recalls its resolution 1209 (1998) of 19 November 1998 which, inter alia, stressed the importance of all Member States, and in particular States involved in manufacturing and marketing of weapons, restricting arms transfers which could provoke or prolong armed conflicts or aggravate existing tensions or armed conflicts in Africa, and which urged international collaboration in combating illegal arms flows in Africa.

"The Security Council expresses concern over the widening gap between the rules of international humanitarian law and their application. The Council welcomes the commemorative events planned to mark the fiftieth anniversary of the Geneva Conventions and the centenary of the First International Peace Conference of The Hague. These occasions provide an opportunity for a further exploration of ways and means by which the international community may enhance the compliance of parties to an armed conflict with the relevant rules of international law, including those of international humanitarian law.

"The Security Council welcomes the continuing contribution to the implementation of international humanitarian law of the International Committee of the Red Cross.

"The Security Council considers that a comprehensive and coordinated approach by Member States and international organizations and agencies is required in order to address the problem of the protection of civilians in situations of armed conflicts. To this end, the Council requests the Secretary-General to submit a report containing concrete recommendations to the Council by September 1999 on ways the Council, acting within its sphere of responsibility, could improve the physical and legal protection of civilians in situations of armed conflict. The report should also identify contributions the Council could make towards effective implementation of existing humanitarian law. The report should examine whether there are any significant gaps in existing legal norms, through the review of recent reports in this regard. The Council encourages the Secretary-General to consult the Inter-Agency Standing Committee in formulating his recommendations.

"The Security Council affirms its intention to review the recommendations of the Secretary-General in accordance with its responsibilities under the Charter of the United Nations."